

House Bill 313

By: Representatives Frye of the 118<sup>th</sup>, Knight of the 130<sup>th</sup>, Smyre of the 135<sup>th</sup>, Martin of the 49<sup>th</sup>, Pruett of the 149<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia  
2 Annotated, relating to property tax exemptions, so as to exempt all real property owned by  
3 certain purely public charities if such real property is held exclusively for the purpose of  
4 building or repairing single-family homes to be financed to individuals using no-interest  
5 loans; to provide for a referendum; to provide for effective dates, applicability, and automatic  
6 repeal; to provide for compliance with constitutional requirements; to provide for related  
7 matters; to repeal conflicting laws; and for other purposes.

8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

9 **SECTION 1.**

10 Part 1 of Article 2 of Chapter 5 of Title 48 of the Official Code of Georgia Annotated,  
11 relating to property tax exemptions, is amended in Code Section 48-5-41, relating to property  
12 exempt from ad valorem taxation, by deleting "and" at the end of paragraph (14), by  
13 replacing the period with "; and" at the end of paragraph (15), and by adding a new paragraph  
14 to read as follows:

15 "(16) All real property owned by a purely public charity, if such charity is exempt from  
16 taxation under Section 501(c)(3) of the federal Internal Revenue Code and such real  
17 property is held exclusively for the purpose of building or repairing single-family homes  
18 to be financed by such charity to individuals using loans that shall not bear interest."

19 **SECTION 2.**

20 The Secretary of State shall call and conduct an election as provided in this section for the  
21 purpose of submitting this Act to the electors of the entire state for approval or rejection. The  
22 Secretary of State shall conduct such election on the Tuesday next following the first  
23 Monday in November, 2020, and shall issue the call and conduct that election as provided  
24 by general law. The Secretary of State shall cause the date and purpose of the election to be

25 published once a week for two weeks immediately preceding the date thereof in the official  
26 organ of each county in the state. The ballot shall have written or printed thereon the words:

27 " ( ) YES Shall the Act be approved which provides an exemption from ad valorem  
28 ( ) NO taxes for all real property owned by a purely public charity, if such charity  
29 is exempt from taxation under Section 501(c)(3) of the federal Internal  
30 Revenue Code and such real property is held exclusively for the purpose of  
31 building or repairing single-family homes to be financed by such charity to  
32 individuals using loans that shall not bear interest?"

33 All persons desiring to vote for approval of the Act shall vote "Yes," and all persons desiring  
34 to vote for rejection of the Act shall vote "No." If more than one-half of the votes cast on  
35 such question are for approval of the Act, Section 1 of this Act shall become of full force and  
36 effect on January 1, 2021, and shall be applicable to all tax years beginning on or after such  
37 date. If the Act is not so approved or if the election is not conducted as provided in this  
38 section, Section 1 of this Act shall not become effective, and this Act shall be automatically  
39 repealed on the first day of January immediately following that election date. It shall be the  
40 duty of each county election superintendent to certify the result thereof to the Secretary of  
41 State.

42 **SECTION 3.**

43 Except as otherwise provided in Section 2 of this Act, this Act shall become effective upon  
44 its approval by the Governor or upon its becoming law without such approval.

45 **SECTION 4.**

46 In accordance with the requirements of Article VII, Section II, Paragraph II(a)(1) of the  
47 Constitution of the State of Georgia, Section 1 of this Act shall not become law unless it  
48 receives the requisite two-thirds' majority vote in both the Senate and the House of  
49 Representatives.

50 **SECTION 5.**

51 All laws and parts of laws in conflict with this Act are repealed.